

Jonathan Schwalb, Esq.
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Attorneys for SN Servicing Corporation as servicer for
U.S. Bank Trust National Association as Trustee of the
Chalet Series IV Trust
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

IN RE:

Charles Patterson Wright, II
Kanyanat Wright

Debtors

:
: CASE NO.: 17-31543
:
: CHAPTER: 7
:
: HON. JUDGE.:
: ROSEMARY GAMBARDELLA
:
: HEARING DATE:
: June 25, 2019 at 10:00am
:
:

LIMITED OPPOSITION TO MOTION SELL REAL PROPERTY

Jonathan Schwalb, an attorney admitted to practice before the United States Bankruptcy Court for the District of New Jersey, hereby affirms the following to be true under the penalty of perjury:

1. SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of the Chalet Series IV Trust (hereinafter "SN Servicing"), by and through its attorneys, Friedman Vartolo, LLP, submits this affirmation in response to the motion of Eric Perkins, (hereinafter "Trustee") dated May 13, 2019 (hereinafter "Motion"), seeking to sell the real property located at 28 Valley Road, Boonton, NJ 07055 (hereinafter "Property").

2. The Debtor filed his chapter 7 bankruptcy petition on October 24, 2017.

3. SN Servicing is a secured creditor and senior lien holder of the Debtor.

This debt is evidenced by a proof of claim, filed by prior servicer Shellpoint Mortgage Servicing on the Court's claims register as claim number 5-1 (hereinafter "Proof of Claim") which detailed a total debt at the time of filing in the amount of \$93,017.19. A transfer of claim will be filed.

4. The Debtor's Motion now seeks court approval to sell the Property for the sum of \$200,000.00.

5. The Motion seemingly relies on the Proof of Claim total debt of \$93,017.19 as the amount owed to SN Servicing. This does not accurately reflect the current payoff figure and should not be relied upon at closing. As of June 19, 2019, the current payoff to SN Servicing totals approximately \$121,324.40.

6. SN Servicing does not object to the sale of the Property however SN Servicing submits this limited response, seeking assurance that any Order granting the Motion includes a provision which states that SN Servicing will be paid in full on the closing date from a payoff which will be provided at closing.

WHEREFORE, SN Servicing respectfully requests that the Debtor's motion be granted to the extent outlined above and for all other and further relief as is just and proper.

Dated: June 19, 2019
New York, New York

FRIEDMAN VARTOLO LLP
85 Broad Street Suite 501
New York, New York 10004

Attorneys for SN Servicing
Corporation
P: (212) 471-5100

By: /s/ Jonathan Schwalb
Jonathan Schwalb, Esq.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Servicer for U.S. Bank Trust National
Association, as Trustee of the Chalet Series IV
Trust

In Re:

Charles Patterson Wright, II
Kanyanat Wright

Case No.: 17-31543

Chapter: 7

Adv. No.: _____

Hearing Date: _____

Judge: Rosemary Gambardella

CERTIFICATION OF SERVICE

1. I, Theodore Weber :

☐ represent _____ in this matter.

☒ am the secretary/paralegal for Jonathan Schwalb, Esq., who represents
SN Servicing Corporation in this matter.

☐ am the _____ in this case and am representing myself.

2. On June 19, 2019, I sent a copy of the following pleadings and/or documents
to the parties listed in the chart below.

- Limited Opposition to Motion to Sell Real Property

3. I certify under penalty of perjury that the above documents were sent using the mode of service
indicated.

Date: June 19, 2019

/s/ Theodore Weber
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Charles Patterson Wright, II 28 Valley Rd Boonton, NJ 07005-9159	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Kanyanat Wright 28 Valley Rd Boonton, NJ 07005-9159	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
Harry M. Gutfleish Gutfleish Law, LLC Three University Plaza Suite 410 Hackensack, NJ 07601	Debtor(s) Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
Arthur David Malkin Arthur David Malkin, Attorney at Law 181 New Road Ste #304 Parsippany, NJ 07054	Debtor(s) Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
Eric R. Perkins McElroy, Deutsch, Mulvaney & Carpenter 40 West Ridgewood Avenue Ridgewood, NJ 07450	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Virginia T. Shea McElroy, Deutsch, Mulvaney & Carpenter, LLP 1300 Mount Kemble Avenue Morristown, NJ 07962	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
McElroy, Deutsch, Mulvaney & Carpenter, LLP 570 Broad Street, Ste. 1500 Newark, NJ 07102	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
Eric Raymond Perkins Eric R. Perkins, Chapter 7 Trustee 354 Eisenhower Parkway Suite 1500 Livingston, NJ 07039	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other <u>NEF</u> (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)